

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DYNELL B.,
Plaintiff,

Civil No. 2:22-cv-12502

v.

KILOLO KIJAKAZI,
ACTING COMMISSIONER
OF SOCIAL SECURITY,
Defendant.

MAGISTRATE JUDGE ALTMAN

_____ /

STIPULATION TO REMAND TO THE COMMISSIONER

Pursuant to sentence four of 42 U.S.C. § 405(g), the parties stipulate that the Court should enter an order remanding the above-captioned case to the Commissioner for further administrative action. On remand, the Appeals Council will instruct the Administrative Law Judge (“ALJ”) to further evaluate the medical opinions and as warranted, re-determine Plaintiff’s residual functional capacity. Plaintiff will also be given the opportunity for a new hearing and the ALJ will issue a new decision.

Respectfully submitted,

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¹ Signed with consent obtained by email by Special Assistant United States Attorney Lisa G. Smoller, received on April 19, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2023, the foregoing document was electronically filed with the Clerk of the Court using the ECF system.

I further certify that the undersigned emailed an encrypted copy of the document to Howard Olinsky at: holinsky@windisability.com

/s/ Lisa G. Smoller

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Defendant.

MAGISTRATE JUDGE ALTMAN

**ORDER REMANDING CASE UNDER
SENTENCE FOUR PER PARTIES' STIPULATION**

The parties' Stipulation to Remand to the Commissioner is granted, and this case is remanded to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will instruct the Administrative Law Judge ("ALJ") to further evaluate the medical opinions and as warranted, re-determine Plaintiff's residual functional capacity. Plaintiff will also be given the opportunity for a new hearing and the ALJ will issue a new decision.

Date: April 19, 2023

s/Kimberly G. Altman

KIMBERLY G. ALTMAN
United States Magistrate Judge

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MAGISTRATE JUDGE ALTMAN

Defendant.

_____ /

J U D G M E N T

In accordance with the Order Remanding Case Under Sentence Four Per
Parties' Stipulation entered on this date,

It is ORDERED AND ADJUDGED that the case is REMANDED to the
Commissioner of Social Security for further proceedings in accordance with that
order.

KIMERLY G. ALTMAN
United States Magistrate Judge

Dated: